

RECORD OF PROCEEDINGS

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

Thursday, May 20, 2021

20

CALL TO ORDER: Mayor Williams called the Riverside, Ohio City Council Meeting to order at 6:00 p.m. at the Riverside Administrative Offices located at 5200 Springfield Street, Suite 100, Riverside, Ohio, 45431.

ROLL CALL: Council attendance was as follows: Ms. Campbell, present; Mr. Denning, present; Mrs. Franklin, present; Ms. Fry, present; Ms. Lommatzsch, present; and Mayor Williams, present.

Staff present was as follows: Mark Carpenter, City Manager; Chris Lohr, Assistant City Manager; Tom Garrett, Finance Director; Dan Stitzel, Fire Chief; Frank Robinson, Police Chief; Kathy Bartlett, Public Services Director; Gary Burkholder, Community Development Director, Dalma Grandjean, Law Director; and Katie Lewallen, Clerk of Council.

EXCUSE ABSENT MEMBERS: No council members were absent.

ADDITIONS OR CORRECTIONS TO AGENDA: There were no changes to the agenda.

APPROVAL OF AGENDA: Deputy Mayor Lommatzsch motioned to approve the amended agenda. Mr. Denning seconded the motion. All were in favor; none opposed. **Motion carried.**

PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE: Mayor Williams led the pledge of allegiance.

MINUTES: Mr. Denning motioned to approve the minutes from the May 6, 2021 council meeting. Mrs. Franklin seconded the motion. All were in favor; none opposed. **Motion carried.**

ACCEPTANCE OF PRIOR MONTH'S CITY FINANCIAL REPORT: Mr. Denning motioned to approve the monthly financial report from April 2021. Mrs. Franklin seconded the motion. All were in favor; none opposed. **Motion carried.**

WRITTEN CITIZEN PETITIONS: Mayor Williams stated if anyone was present who wished to speak on agenda or non-agenda items to notify council by written form and they may do so at the appropriate time.

DEPARTMENT UPDATES:

A) Finance Department – Mr. Garrett: We mentioned the finance reports are in council packets so you’ve had a chance to look at those. The one thing I would note is that income tax was down significantly in the month of April, but in the month of May, so far, we’ve received nearly \$600,000 mostly from distributions from CCA, but the state also kicked in \$80,000 from the centralized net profit collection. As you are aware, the American Rescue Plan, we’ve been waiting on the US Department of Treasury’s final rules. They released those about a week ago. I participated in a couple of webinars to see how other analysts are interpreting those rules. There are four broad categories of uses for the funds. Maybe two of them may be more focused on our city needs, but the rules are coming out. We have not, yet, received any of the money because we are one of the smaller cities and money is being distributed via the state. It may take them a few more weeks to get that out. Some of the larger cities and counties are receiving their money now. We’ve asked our staff members to start proposing the best uses for the money and then we can get together and prioritize and have further discussions. The money that is going to be released by the American Rescue Plan will come in two installments; first – in another month, second – a year later get the other half. Expenditures have to happen by December 2024. We have time to get organized and decide what the best things are. There will be periodic reporting the city will have to do, but since we are smaller that looks like it will be annual reports in the fall of each year.

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Mr. Denning: Could you send us a brief memo that outlines what that money can be spent on? I want some explanation of your interpretation and what we think we are going to do with it. To me, if you want our input, we need to know what we can spend it on or what is within the guidelines of what is allowable. I think council may have some ideas on ways to do that, too. Mr. Garrett: It is fairly flexible, but I will get an email out to everybody.

Deputy Mayor Lommatzsch: It is nice to see department heads in person. I think you sent us some of the guidelines for the money and one of the emails from the state. Mr. Carpenter: There was an email from OML that had links to an eight-page summary. Mr. Garrett: OML did provide an 8-page summary; we didn't learn too much more, but the interpretation is still a little bit fluid. One big point is it does address revenue replacement for the revenue we lost because of income being down last year. We got a new calculation against 2019 as a base year, and then they have an artificial inflation of about 4% a year, and then measure our actual against that...Mr. Denning: So, then a portion of that can actual go into the general fund for...Mr. Garrett: More government service. We can continue to deal with effects of COVID-19, and its negative economic impacts. Mr. Denning: We are still down on our income tax because people aren't back to work, so we can use that as justification. Mr. Garrett: I'm not sure that will be anywhere near the amount of money they are going to calculate. I think their intent of the law is to use the city as the distribution medium to get it out to the general public; that might be quite an undertaking to keep track of all that.

B) Administration Department – Mr. Lohr: We had the neighborhood clean-up over the weekend. That was overall, lightly attended, but we had a very good turnout at Rohrer Park. The volunteers got quite a bit cleaned up in Rohrer. I think it was a good experience for us to test out what it takes to run a clean-up like that. We had some dedicated, enthusiastic volunteers who helped out so thank you to everybody who was able to make it. The backflow preventer installation started over at the Wright Point 5100 building. They have started the excavation and an interesting thing happened when they started. They came across what we believe is a fuel oil tank that to our best guess was there for a house prior to the construction of the 5100 building. It is an interesting piece of history and surprise part of that project. We have called in an environmental company to take a look at what is inside that fuel/oil tank and help us with the disposal of that. We are still waiting on some of the parts to complete that project so it shouldn't hold us up too much while working through that issue. We have quite a few retirements. I want to thank everybody who was able to make it to the retirement celebration for Pam Rice, yesterday. If you weren't able to make it to the celebration, Pam is working until the end of next week so you can stop by and say "hi" that will be great. I am sure she will be glad to accept any cards or gifts on her way out the door. On the other HR items, we have the engineering technicians accepted the offer and will start the first week of June as Jay's replacement. With Pam's retirement and possibly the addition of a part-time admin assistant in the service department, we are looking at doing some temp to hire employees here. We've had good experience in the past with doing that with administrative assistants and that is how Becky Elliot came to us. She is going to be moving into Pam Rice's position as a full-time admin assistant at the front desk. We will be looking to fill the two part-time positions with temp-to-hire employees.

Deputy Mayor Lommatzsch: I would like to compliment Samantha and Kyle, two of our firefighters, who showed up at Rohrer Park to cleanup. Excuse me if I can't remember their last names, but it was Kyle and Samantha. I had never met either one of them. They were very enthusiastic and I appreciate them taking their Saturday afternoon to come spend it in Riverside. Mr. Carpenter: Just on top of that, Kyle and his son Thomas also cleaned up Drennen Park, too. Mr. Lohr: I was just going to point out in addition to Kyle Blankenship and Samantha Stine from the fire department, we also had Chief Stitzel, Katie Lewallen and her daughter volunteered as well as Becky Elliott and Mr. Carpenter. We had quite a few members of staff out there on Saturday.

C) Community Development Department – Mr. Burkholder: Tonight, we have two pieces of legislation before you. One is a rezoning; the other one is the vacant

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property ordinance. We now have Montgomery County Soil and Water on contract with us so we will be working with them. We still have to file our MS-4 report with the Ohio EPA. We are working on some tax increment financing legislation as you know we've had some TIFs in the community and we would like to propose some new legislation. We are still working on that and hope to bring forward in the near future. We are continuing with the site plan review for Kroger. We are putting together the final pieces there; they would like to move forward quickly at their project at 601 Woodman. With Wright Point, we continue to work to clear out vacant space. We did have a showing this week so we will find out where we stand with that showing over in the 5100 building with Mr. Meder. Lori and I have been working on the landbank grant application and we had a phone conference with them today so we can make sure we get the application on target when we submit it to them. This is part of the strategy to get enough funding to move forward with the comprehensive land use plan. We will not consider a consultant on that until our application is submitted and approved. That is one of the requirements of the landbank application process. We also have gotten our bids in; we haven't opened them, yet, but that is for the elevator modernization here in the 5200 building. As you know, we have had quite a few problems with the elevator; it would be an improvement and modernization of the electrical and control panels, but also an upgrade to the actual elevator car itself. The other item we haven't had a chance to get to would be a roof replacement at 5100. We have a quote on that; there is a special program through the federal government, and we still have to research it to ensure it comes into compliance with the bidding process. There are a lot of things we want to upgrade here at 5100; at 5200, we had a problem with the backdoor here as well so we had a new door installed. There were some key problems so we got those taken care of. We will be looking at the parking lots as well and get some crack sealing done and continue to move forward on the improvement of both buildings.

Mayor Williams: Did you say on the replacement of the roof there was a federal program? Is it to do the rehab or to perform the duties needed to cover those costs or is the federal program tied to building rehab? Mr. Burkholder: It is called a TIPS program. It is apparently a program where you don't have to go out for competitive bidding. We have consulted with legal counsel, but I want inquire more with the actual program. It is kind of like the state bidding program/state purchasing program, but it is a federal program and other communities have used it. I think Gahanna Schools in Columbus used this. We want to make sure that actually allows us to go forward with the project without any further competitive bidding/taking competitive bids. We are still researching that. We have the cost estimates of what it would cost, somewhere around \$280,000.

Mr. Denning: Have we heard anything more about the Waffle House that was to be at Linden and Woodman? Mr. Burkholder: I have not; I know it has been quite a few months back, when the pandemic hit, and they put it on hold and I have not had any contact, but I will check with Nia to see if they have reached out to us. Mr. Denning: If they haven't, maybe we should reach out to them. Mr. Burkholder: I'm more than happy to. Mr. Denning: Also, I went all the way to Springfield to get Popeye's and talked to the manager there about what we can do it get a Popeye's into Riverside and so the answer is Gilligan Petroleum, which does the Dunkin' Donuts, controls all the Popeye's in the area. My thought was you want to have a discussion with them about what they need as far as space so that we can try and get something like that into our community. Can you give us more information on the Morris Furniture? It says it is going forward, but I haven't seen much movement and the last I heard was that Morris was still doing the maintenance on the property. Has it changed hands? Mr. Burkholder: That is correct. We had a meeting a couple of weeks ago. Zach Williams who heads up that project and has presented here before for Cobblestone, he flew in that day and we had representatives from Apex that were there. They were going to also have a meeting later on. Zach Williams' finance person was flying in from Utah, so as soon as they got those things taken care of they were going to look forward to closing. So, closing was a little bit delayed. They had to do some research on the property tax structure here in Ohio, but it was good news they were moving forward with that. They also had their architect there looking at the building, Ms. Holt, Mr. Lunsford and I all met with them. I don't know if it has closed,

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yet. Mr. Denning: When people hear about these things and then nothing happens forever so I want to stay up-to-date when people are going to see something happening. Mr. Burkholder: He flew in and met with his finance person later that day that was the hang-up on closing on the property. You are correct, it had not been transferred, yet, that was about two weeks ago we met there. I will be more than happy to give them a call again. You probably aren't going to see a lot of construction for awhile because there will probably be a lot of design. Mr. Denning: That's okay as long as we know that is what is going on and when people ask us, they are in the design phase and it is moving forward. Mr. Burkholder: We did reach out to them particularly with the maintenance issues and asked what is going on. They found out they weren't responsible because they hadn't closed on it, yet. I'm confident there is not going to be a problem with that. They were very pleased with the market here and as we all know, storage has been very interested because there is such an occupancy in all of these storage companies. They have such a high occupancy, and they saw an opportunity here.

Deputy Mayor Lommatzsch: Do we have any updates on Spinning Road what is going on there by the VFW? Mr. Burkholder: All the clearing of the ground? Deputy Mayor Lommatzsch: He doesn't work during the week, only on the weekends and, of course, we don't have anybody here on the weekends. Mr. Burkholder: Well, he called me again today, it is an ongoing thing. His long-term plans are a year or two out. He continues to clear it, but we continue to follow up on the complaints. We had soil and water out there looking at what was done to the creek bed, and what are his intentions with that, so we want to monitor that. He had stacks of brush out there, which he cleared away some, but not all of it. Rob talked to him this last week. It will be a week or two, but he is going to get the rest of that off there as well. I told him this morning it would really be helpful if you would just come in and sit down with staff and let us know not only long-term plans, but what are your current plans. Deputy Mayor Lommatzsch: We also need to let him know what he can and can't do. Mr. Burkholder: I told him last year when he called that he is going to have to have a rezoning there. He wanted his construction excavating business there and wanted to build a house in the back. I reassured him there is no guarantees of that. Every time I talk to him, I tell him just because you come in and ask for something doesn't mean you are going to get it. He has been very vague. We've had contact with his wife and with him; I believe he is staying with relatives here in the area. We have been very proactive and as soon as we got soil and water on board, they went out there with Jay. Rob's been out there; I've been out there. There is a little problem with the creek bed because that storm water pipe that comes out of the headwall there off the dead-end road, it hits the stream with such force that it created a little bit of a pool there. We are concerned about stagnant water and any other debris or erosion within that. I think that is one of the good things having soil and water onboard in addition to any outside engineering is to try and stay on top of stormwater before it becomes a worse problem. I have repeatedly told him, you've got to tell us. Right now, he says he is cleaning the trees and brush off. Deputy Mayor Lommatzsch: Will he be able to open that road? The neighbors want to know. Mr. Burkholder: I don't think we can give an answer to that. Mayor Williams: I think it would be way too early to tell. I don't know that we should ask staff to answer questions on hypotheticals. We don't know what he plans to do with the property or what the dead-end road might become. Is it going to become a private drive to lead to the property? I don't want to put staff in a position to make a comment that is subject a site plan he has yet to see. Mr. Burkholder: I've advised him that a lot of neighbors are asking a lot of questions and there are concerns. There is conflict on who owns that fence. Was it the previous owner's fence, or is it their fence? There is no documentation or records. We advised everyone it will be between you and the new property owner how you resolve that conflict. We share the same concerns. He wanted to bring a surveyor in. I told him he needs to sit down with us and bring a site plan in so that he is fully informed ahead of time how the process works. I share the concerns of everyone else because he tells them what he is going to do and everyone gets excited, but it hasn't been communicated to the city.

D) City Manager Report – Mr. Carpenter: GBU Financial representatives came by today, Ms. Christian Van Brooklyn, Paula Bim, and Jackie Slater, and they gave

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the fire department a check for \$4,000 so we really appreciate the donation to the fire department. They will put it to good use.

PUBLIC COMMENT ON AGENDA ITEMS: Mayor Williams asked Ms. Pitzer about an ordinance they were going to discuss. He asked her if she wanted to wait until the public hearing of that discussion. She agreed. He added if anyone wants to comment on agenda items to let them know at this time. Mr. Lohr stated that no one has messaged him to speak.

OLD BUSINESS

A. ORDINANCES

- I) **Ordinance No. 21-O-760 – Approving a change in the district boundaries as shown on the zoning map of the City of Riverside, Ohio as initiated by a Resolution of Council for the property located at 11 Pleasant Valley Avenue, Parcel ID No. I39 00717 0063 from R-3, Medium-Density Residential District to B-2, General Business District. (2nd reading, public hearing, and possible adoption)**

Mr. Denning motioned to approve the second reading and adoption of Ordinance No. 21-O-760. Ms. Fry seconded the motion. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing. Mr. Gary Burkholder, Community Development Director, 5200 Springfield Street, Suite 100, Riverside, OH, stated that staff sent out the report to all of council at the first reading and wanted to comment briefly on it. We are opposed to this rezoning; we feel it is a commercial creep into the adjacent neighborhood. One of the major concerns was the lack of detail or specificity relative to the type of use that would take place here. When they review the B-2 General Business District and what could possibly go in there, we feel it is in the best interest of the city to have more details on the specific use of what that is going to be. There has been talk it would be car or motorcycle sales; we don't feel that is an appropriate use in that area. There could possibly, depending on the intensity of the use be some traffic concerns as well. We feel that protecting our residential neighborhoods is as important as well and not continue to expand further off of the main corridor with commercial use in the area. We would respectfully request council members vote to deny the rezoning. I've heard several times individuals say that rezonings are just rezoning, but as I mentioned at the recent planning commission, these rezonings I know everyone takes them seriously, but they do have an impact on our community for decades to come. We've experienced 601 Woodman as a prime example. I liked the summary of the first reading and it really is the challenge of both staff and the elective body to get the right pieces of the puzzle in the right place within our city. Now, the comprehensive land use plan will help us. Obviously, we don't wait until that is completed to do some of these rezonings, but I don't believe this piece of the puzzle fits in that particular area. We also look at the economic development impact, and what is apparently being proposed there because we don't have the details would not have a great positive impact on the community.

No one online wished to speak on this ordinance. Mayor Williams closed the public hearing.

Roll call went as follows: Mr. Denning, yes; Ms. Fry, yes; Ms. Campbell, yes; Mrs. Franklin, no; Ms. Lommatzsch, no; and Mayor Williams, yes. **Motion carried.**

- II) **Ordinance No. 21-O-761 – Levying special assessments for the construction and repair of curbs, sidewalks, drive approaches, and related appurtenances associated with the 2020 Paving Program. (2nd reading, public hearing, and possible adoption)**

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Mr. Denning motioned to approve the second reading and final adoption of Ordinance No. 21-O-761. Mrs. Franklin seconded the motion. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing. No one wished to comment on the ordinance. Mayor Williams closed the public hearing.

Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Campbell, yes; Ms. Fry, yes; Ms. Lommatzsch, yes; and Mayor Williams, yes. **Motion carried.**

III) Ordinance No. 21-O-763 – Amending the personnel policies manual of the City of Riverside, Ohio. (2nd reading, public hearing, and possible adoption)

Mr. Denning motioned to approve the second reading and final adoption of Ordinance No. 21-O-763. Mrs. Franklin seconded the motion. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing. Ms. Jan Pitzer: This ordinance should not even be in question. However, because four members of this council being Mike Denning, April Franklin, Bev Campbell, and Mayor Williams voted for this ordinance at the May 6 council meeting. This is to change the administrative code. Admittingly, Mark Carpenter said that this would benefit him and his retirement. I think we are missing what the point of what sick leave accrual is. It is for an employee during being employed as a safety net should they come into illness or injury while being employed. It should not be a reward of being fortunate enough to not having to use it. By passing this ordinance into effect, you will open the gates to current and future employees with less than 10 years to be paid for unused sick leave. With a search for a new city manager, there may be current employees who voluntarily leave or who may be let go for less than 10 years of service. To compare Riverside to what Huber Heights, Kettering, and Beavercreek are doing should be ignored. We are Riverside. This city is on the brink of bankruptcy and to be a state taken over. I'm a long hauler. I've been here longer than some of you sitting up there have been alive. To allow this totally unnecessary spending when the city is in financial distress is basically insane. To give arguments that hiring future employees that this benefit of giving a cash out for any time employed is ridiculous. If that is a make or break situation for someone coming into our city, then we don't need and we should not want them if all they're interested in is a paycheck. I will bring a refresher course to you. In the previous search for the city manager, we had two finalists. The first choice declined the position; the second withdrew her name. Mark Carpenter did not even apply. Instead of extending and continuing the search, a council member convinced Mark Carpenter to be brought in. I will remind you of a clause in Mr. Carpenter's contract that basically stated if the city fires him before his pension reaches "X" dollar amount; the city will pay him \$250,000. Pull the contract. Obviously, his pension has reached that desired amount. Council recently agreed to a pay increase and yet Mark Carpenter is walking away at this time that the city is in the worst possible condition that it has ever been. I made a public records request on May 11 at 8:40 a.m. for the numbers of the payout. I did receive an email response at 2:40 p.m. from the council clerk who stated, and I have this actual document here, that she received this from the finance director, 480 hours = \$24,598 before tax deductions. At 4:53 p.m. that same day, May 11, I get another email, no mention of who it came from other than the council clerk who sent it to me. The math needed to be corrected 353 hours = \$18,106. How do you go from 480 to 353, a difference of 127 hours and a money difference of \$6,492? Who knows what the correct figure is? Did any of you request this amount? As some of you know, I don't say anything without documentation to back it up. I have those documents here this evening. I implore you, do not go forward with this ordinance. We are setting ourselves up for even more financial distress. Thank you.

No one else wished to speak. Mayor Williams closed the public hearing at 6:43 pm.

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Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Campbell, yes; Ms. Fry, no; Ms. Lommatzsch, no; and Mayor Williams, yes. **Motion carried.**

IV) Ordinance No. 21-O-764 – Approving employee position titles, number of positions and pay ranges and to repeal Ordinance No. 19-O-692, passed December 5, 2019. (2nd reading, public hearing, and possible adoption)

Mr. Denning motioned to approve the second reading and adoption of Ordinance No. 21-O-764. Mrs. Franklin seconded the motion. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing. No one wished to comment on the ordinance. Mayor Williams closed the public hearing.

Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Campbell, yes; Ms. Fry, yes; Ms. Lommatzsch, yes; and Mayor Williams, yes. **Motion carried.**

V) Ordinance No. 21-O-765 – Creating Chapter 1321 of the City Code of Riverside to be entitled, “Registration of Foreclosing Mortgaged Property and Vacant Property”; providing for purpose, intent and applicability of the ordinance requiring the registration and maintenance of certain real property by mortgagees and vacant property owners; providing for penalties and enforcement, as well as the regulation, limitation and reduction of registrable real property within the City; providing for severability, repealer, codification, and an effective date. (2nd reading, public hearing, and possible adoption)

Mr. Denning motioned to approve the second reading and adoption of Ordinance No. 21-O-765. Mrs. Franklin seconded the motion. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing. Mr. Gary Burkholder, Community Development Director, 5200 Springfield Street, Suite 100, Riverside, OH, stated they are excited about the ordinance and have had support of council. They look forward to the program. They know vacant properties, in general, are a major problem within the city, and they wish to respond more quickly to them. There are some pending cases, now, that have to go through the probate court. One of the biggest problems they have is when someone passes away and no one else takes responsibility for the property. Working with Pro-Champs, this will be helpful as they will have the list and assist in the registration of the vacant properties both commercial and residential. They will collect the fees and take a portion of those fees and the remainder of the fee comes to the city. This will require additional work from staff, which they are more than happy to do. He repeated his request that they need additional staffing. In the fall of 2018, they had five people working for the city in this department, which was actually two departments at the time, that was reduced down to three people when he came on board in January 2020. They are back up to four people, but they have not gotten up to five people. They would like to get a planning technician, who could help in all the areas of economic development; somebody with a broad background, someone who could also help Nia in the processing of permits, but also be a backup to Mr. Lunsford, who does code enforcement. He is one code enforcement officers for the entire city. From first hand experience in interactions and conversations, there is never a dull or idle moment. They get complaints all the time. He thinks it is critical to try to satisfy the complaints of the citizens, but they only have so many resources. They are looking forward to the passage of this, but would like council to find the funding resources to get additional staff so they can do their jobs better within community development.

No one else wished to speak. Mayor Williams closed the public hearing at 6:49 pm.

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Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Campbell, yes; Ms. Fry, yes; Ms. Lommatzsch, yes; and Mayor Williams, yes. **Motion carried.**

VI) Ordinance No. 21-O-766 – Approving an amendment to the Code of Ordinances establishing a budget committee and setting forth the creation and membership, organization, purpose, and powers and duties in Chapter 134 of the City’s Codified Ordinances. (2nd reading, public hearing, and possible adoption)

Mr. Denning motioned to approve the second reading and adoption of Ordinance No. 21-O-766. Ms. Fry seconded the motion. The clerk read the ordinance by title only.

Mayor Williams opened the public hearing. No one wished to speak. Mayor Williams closed the public hearing.

Ms. Fry asked when soliciting for members of the community to join this committee, will they be use the same vehicles as the commissions. Mr. Carpenter replied with this particular committee, they are also going to do a mailing. They are in the process of putting together the newsletter and put information about the committee being new. Traditionally, with other commissions and committees they put it through social media. Ms. Fry asked after the initial mailing, going forward in perpetuity would this look like filling the position on a commission. Mr. Carpenter replied yes, he would expect it to be the same.

Roll call went as follows: Mr. Denning, yes; Ms. Fry, yes; Ms. Campbell, yes; Mrs. Franklin, yes; Ms. Lommatzsch, yes; and Mayor Williams, yes. **Motion carried.**

NEW BUSINESS

A. ORDINANCES

I) Ordinance No. 21-O-767 - Amending Title Five, Chapter 139, Contracts and Purchasing Section 139.03 and repealing the existing Chapter 139, Section 139.03 of the Administrative Code of the City of Riverside, Ohio. (1st reading)

Mr. Carpenter stated the ordinance is to amend chapter 139. Staff is proposing the change to raise the requirement for bidding from \$25,000 to \$50,000. That is the maximum amount the state permits. It is something that sometimes becomes a hinderance for staff that slows down projects where the costs of items and work exceeds \$25,000. They have to go through a competitive bidding process and by making this change it will allow them to speed up the timing to get work done and make necessary purchases. Council will still maintain authority through the budgeting process which is typically capital items. Council has the authority to budget these items into each annual budget. That is the biggest reason for the change. They also will amend some of the language to be in compliance with or mirror the ORC.

Mr. Denning motioned to approve the first reading of Ordinance No. 21-O-767. Mrs. Franklin seconded the motion. The clerk read the ordinance by title only.

Deputy Mayor Lommatzsch: I am going to vote against this. I understand the cost of things have gone up. I’ve watched this window go from \$10,000, \$15,000, to \$25,000, but to double it at this point is probably a little excessive. I believe \$50,000 is opening a door for some opportunities that we might not want to deal with.

Ms. Fry: Mr. Manager, could you share what recent projects that have run into this problem. Mr. Carpenter: One of the ones we are considering right now is the buildouts in the buildings, the VAV Boxes. Some of the estimates have come in a \$35,000 ball park. That is a recent

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example. Mr. Burkholder: Another one would be the backflow preventer we had to put in. That was about \$36,000 so that had to go out to competitive bid. In that particular instance, the quote we originally had was the quote that was the lowest when it came back from competitive bid. This would not preclude us though from still going out and getting three quotes if we needed to. One of the things, particularly on Wright Point, is that we really have to move at the speed of business. That is something when tenants have where their improvements, particularly the HVAC system here, we have to try and move and quickly as we can. It doesn't mean we don't go out to get the lowest quote, but that bidding process truly does slow down the process. I was the one that requested the manager bring this forward and support it. I think he stated it well; council still have the purchasing authority and approval. Trying to avoid the bidding process on the smaller process would be helpful. Ms. Fry: Do we have any examples not related to Wright Point? Mr. Carpenter: I'm sure we do; I just didn't think to bring those. Ms. Fry: That is fine.

Roll call went as follows: Mr. Denning, yes; Mrs. Franklin, yes; Ms. Campbell, yes; Ms. Fry, yes; Ms. Lommatzsch, no; and Mayor Williams, yes. **Motion carried.**

RESOLUTIONS

- I) **Resolution No. 21-R-2679 – Authorizing the city manager to enter into a contract for the purchase of one (1) LifePak 15 EKG Monitor for use at the Department of Fire under the State of Ohio Cooperative Bid Program.**

Mr. Carpenter stated this resolution is to purchase the LifePak 15 Monitor through the State Cooperative Bid. The cost of the monitor is about \$30,496. They have to pay it upfront and then they have a grant of \$30,000 so the net cost to the city is less than \$500.

Deputy Mayor Lommatzsch motioned to approve Resolution No. 21-R-2679. Mr. Denning seconded the motion.

All were in favor; none opposed. **Motion carried.**

PUBLIC COMMENT ON NON-AGENDA ITEMS: Mayor Williams invited members of the public to come forward and speak on non-agenda items. He requested that they come to the podium and state their name and address for the record, and limit comments to three minutes.

Ms. Jan Pitzer, 691 Wake Forest Road, Riverside, OH, this is kind of a follow up to Deputy Mayor Lommatzsch bringing up the Spinning Road property and I have already spoke to Mr. Burkholder and Ms. Holt about this. The large red cross that sits near Spinning Road is classified as an accessory structure. You cannot have an accessory structure without a primary structure on the lot. I just wanted to make council aware that we should be proceeding, hopefully, Mr. Burkholder, in getting that removed. Thank you.

No one else wished to speak in person or online.

COUNCIL MEMBER COMMENTS: Mayor Williams: Thank you to the staff that made clean-up day, even though we missed the first one because of rain, on this past Saturday, successful. There was a lot going on that day in our community, coffee with a cop, and flower sale. I want to thank Ms. Pitzer for calling me and pointing out that we should get some of these things on our Facebook page and Chris and Mark got that done in about 20 minutes. Thank you for getting out to the community a lot of the great things we are doing. Congratulations to our graduates, this evening, from Stebbins High School. They should be just about starting, I would think at 7:00 pm. I hope to bring forward a proclamation in early June for their valedictorian. Mr. Wyen just shared that name with me because it was right down to the wire. Congratulations to those graduates and other graduates in our community.

RECORD OF PROCEEDINGS

Minutes of

Meeting

BEAR GRAPHICS 800-325-8094 FORM NO. 10148

Held

Thursday, May 20, 2021

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Congratulations to the Carroll graduates; they graduate tomorrow night. My nephew is one of them so I am very proud of him. And to East Dayton Christian, as well.

Deputy Mayor Lommatzsch: Thank you to everybody that turned out. Thanks to the Jaycees, the Chamber, and Domescik Realty for the shredding event. I don't know how many tons of paper they shredded, but I am sure Mike will fill us in on that. The Saville Garden Club did their sale and it was very successful thanks to the community. I think they made about \$900, and they planted the garden today at Shellabarger Park. When you go by you can admire their work. They also do over in Beavercreek at Saville Park up the hill; they do that garden as well. Good volunteers.

Mr. Denning: Gary, the property at Spaulding and Linden, the grass there, if you pull out on Spaulding you aren't going to be able to look up Linden to see whether you have traffic or not. I think they have been talking about making it back into a store again with fuel pumps, but they need to be good neighbors to start with if they are thinking about doing that. For the shred it event, I believe 27 people went through there. It was three hours. It was busy at the beginning, slowed down, and then a little busy at the end, again. It is something that we will do at least once a year; we are looking at doing it again maybe in October once we see where the whole COVIE-19 think has gone. I do want to congratulate all the different graduates. I know last year was really crazy with graduating. They did a partial class at a time. This year is a little more what we will call normal. Next year, I hope will even be better. They made it through; they had a crazy school year between hybrid and staying at home and going back to hybrid. I want to really congratulate those people for keeping their grades up and finishing the job of getting through high school. They have done an amazing job. The school systems have done an amazing job of trying to keep it balanced and keep things going. I want to thank all the administrators and different school systems for doing their part for getting young adults through this crazy time. It looks like I hope the end of the tunnel. I will say go out and get your vaccine so it is the light at the end of the tunnel. I went out and got registered for the Vax-A-Million. I have to retire sometime and that would make it that much quicker. It will help the city income tax. If I win, I would be more than happy to give the city double city income tax. Mayor Williams: Madam Clerk, you are taking this word-for-word, I hope. It will be in the minutes. Mr. Denning: I'm good with this, it is free money.

EXECUTIVE SESSION: Deputy Mayor Lommatzsch motioned to go into executive session for the purpose listed: Section 103.01(4) – Personnel. Mr. Denning seconded the motion. Roll call went as follows: Ms. Lommatzsch, yes; Mr. Denning, yes; Ms. Campbell, yes; Mrs. Franklin, yes; Ms. Fry, yes; and Mayor Williams, yes. **Motion carried.**

RECONVENE: Council reconvened at 7: 27 pm.

RESOLUTION:

- A) **Resolution No. 21-R-2680 – authorizing the city manager to enter into a collective bargaining agreement between the City of Riverside and the International Association of Firefighters, AFL-CIO-CLC, Local 2983, from June 29, 2021, through June 28, 2024.**

Mrs. Franklin motioned to approve the Resolution No. 21-R-2674. Mr. Denning seconded the motion.

All were in favor; none opposed. **Motion carried.**

ADJOURNMENT: Deputy Mayor Lommatzsch motioned to adjourn. Ms. Campbell seconded. All were in favor; none were opposed. The meeting adjourned at 7:28 pm.


Peter J. Williams, Mayor


Clerk of Council